

UNITED STATES DISTRICT COURT

Southern

District of

New York

Picture Patents, LLC

V.

SUMMONS IN A CIVIL ACTION

Aeropostale, Inc.
Dick's Sporting Goods, Inc.
Charlotte Russe, Inc.
GSI Commerce Solutions, Inc.
Fogdog, Inc.
GSI Commerce, Inc.
National Basketball Association
NBA Properties, Inc.
NBA Media Ventures, LLC
Major League Baseball Properties, Inc.
MLB Advanced Media, L.P.
Linens 'n Things, Inc.
Tweeter Newco, LLC
Tweeter Opco, LLC
Buy.com, Inc.

CASE NUMBER: 07cv5567

TO: GSI Commerce, Inc.
c/o Janet Cullum
Cooley Godward Kronish LLP
1114 Avenue of Americas
New York, New York 10036-7798

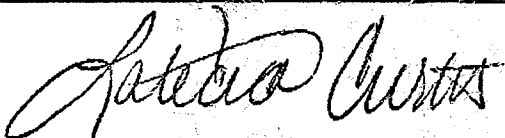
YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY

Thomas J. Parker
Alston & Bird LLP
90 Park Avenue
New York, NY 10016

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK



(By) DEPUTY CLERK

DATE

APR 08 2008

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

PICTURE PATENTS, LLC,)
Plaintiff,)
v.)
AEROPOSTALE, INC., DICK'S)
SPORTING GOODS, INC., CHARLOTTE)
RUSSE, INC., GSI COMMERCE)
SOLUTIONS, INC., FOGDOG, INC.,)
GSI COMMERCE, INC., NATIONAL)
BASKETBALL ASSOCIATION, NBA)
PROPERTIES, INC., NBA MEDIA)
VENTURES, LLC, MAJOR LEAGUE)
BASEBALL PROPERTIES, INC., MLB)
ADVANCED MEDIA, L.P., LINENS 'N)
THINGS, INC., TWEETER NEWCO, LLC,)
TWEETER OPCO, LLC, BUY.COM, INC.)
Defendants.)

Civil Case No. 07cv5567 (JGK) (HBP)

Affidavit of Service

STATE OF NEW YORK)
)
) ss:
COUNTY OF NEW YORK)

Kim Fitzgerald, being duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and is employed by Alston & Bird LLP, attorneys for plaintiff.

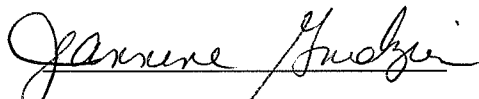
That on the 9th day of April 2008, at approximately the time of 2:15 p.m., deponent served true copies of the Summons and Third Amended Complaint upon GSI Commerce, Inc. by personally delivering and leaving the same with Nick Ficorelli, Managing Clerk at Cooley Godward Kronish LLP at 1114 Avenue of the Americas, New York, NY 10036-7798, who was authorized to accept service on behalf of GSI Commerce, Inc.

Nick Ficorelli is a white male, approximately 35 years of age, stands

approximately 5 feet 7 inches tall and weighs approximately 150 pounds with brown hair and brown eyes.


Kim Fitzgerald

Sworn to before me this
11th day of April, 2008


Notary Public

JEANNINE GRUDZIEN
Notary Public, State of New York
No. 01GR6178877
Qualified in New York County //
Commission Expires December 10, 20__